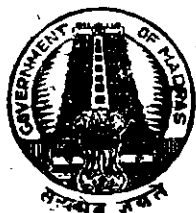


MISCELLANEOUS



DEVELOPMENT DEPARTMENT.

G.O. No. 4250, 7th October 1952

Labour—Disputes—Dispute between the workers and the management of cashewnut processing factories in Mangalore—Award of the Industrial Tribunal, Coimbatore—Published.

Passed
PS

Superintendent



DEVELOPMENT DEPARTMENT.

G.O. No. 4250, 7th October 1952

Labour—Disputes—Dispute between the workers and the management of cashewnut processing factories in Mangalore—Award of the Industrial Tribunal, Coimbatore—Published.

READ—the following papers :—

I

G.O. Ms. No. 2154, Development, dated 19th May 1952.

II

BEFORE THE INDUSTRIAL TRIBUNAL, COIMBATORE.

PRESENT:

SRI T. S. VISWANATHA AYYAR, B.A., M.L.,
Industrial Tribunal.

INDUSTRIAL DISPUTE No. 16 OF 1952.

[In the matter of dispute between the workers and the managements of the cashewnut processing factories in Mangalore (vide G.O. Ms. No. 2154, Development, dated 19th May 1952).]

Sri A. Shantharam Pai, President, the Cashewnut Workers' Union, Mangalore, Sri P. Balachandra Menon, General Secretary, Malabar Committee of the All-India Trade Union Congress, Kozhikode, and Sri P. M. Narayana Moorthy, Advocate, Mangalore—*For the workers.*

Mr. G. B. Pai, B.A., B.L., Advocate, c/o Menon and Pai, Ernakulam—*For the management of Peirce, Leslie and Company, Limited, Mangalore.*

Mr. B. Vaikunta Baliga, B.A., B.L., Pleader, Mangalore—*for the managements of (1) Mizar Govindappa Annappa Pai and Sons, (2) Swastic Cashew Industries, Limited, (3) Fernandez Brothers and (4) Mallaya Nayak Company, Mangalore.*

AWARD.

By G.O. Ms. No. 2154, Development, dated 19th May 1952, the Government of Madras have referred for adjudication an industrial dispute between the workers and the managements of five cashewnut processing factories in Mangalore, namely, (1) Messrs. Peirce, Leslie and Company, Limited, Mangalore, (2) Messrs. Mizar Govindappa Annappa Pai and Sons, Mangalore, (3) Messrs. Swastic Cashew Industries, Limited, Mangalore, (4) Messrs. Fernandez Brothers, Mangalore, and (5) Messrs. Mallaya Nayak Company, Mangalore.

2. The matters referred for adjudication are in respect of "revision of wages and payment of dearness allowance and attendance allowance." After notices were duly issued to the parties, the Cashewnut Workers' Union, Mangalore, filed its statement of demands on 16th June 1952. The five managements filed their written statements in July 1952 and finally the union filed rejoinders on 1st August 1952.

3. To-day when the matter came up before me for enquiry the parties settled their disputes and filed a memorandum of compromise. The terms of that memorandum are—

"(1) The shellers and peelers will be paid at the rate of one anna two pies per pound. Peeling pieces will be paid at six pies per pound.

(2) Daily paid workers will be paid at the following rates:—

(a) Children—12 annas per day.

(b) Adolescents—Re. 1 per day.

(c) Adults—

Women—Re. 1 per day.

Men—Re. 1-5-0 to Rs. 2.

(In the case of adult workers a one anna increase will be given on their present wages subject to maximum of Rs. 2. But those workmen who have received an increment after the 1st January 1952 will not be entitled to the above increase.) Existing wages will not be reduced.

(3) The regular attendance bonus, if any, at present paid will be discontinued.

(4) With regard to the shelling section of Messrs. Mallaya Nayak Company, the question of shelling rates will be left to the decision of a committee consisting of Mr. Vaikunta Baliga and one representative each of the management and the workmen.

(5) The above rates will become operative from the 1st October 1952 and this agreement will remain in force for a period of one year from that date.

(6) All other demands of the workmen relating to the three issues referred to the Hon'ble Tribunal by the Government for adjudication are given up."

4. I consider the terms of the memorandum of compromise to be fair, reasonable and proper and on that basis recorded the same.

5. There will be an award in terms of the compromise set out above.

Dated at Mangalore, this the 22nd day of September 1952.

T. S. VISWANATHA AYYAR,
Industrial Tribunal, Coimbatore.

Order—No. 4250, Development, dated 7th October 1952.

Whereas the award of the Industrial Tribunal, Coimbatore, in respect of the industrial dispute between the workers and the managements of the cashewnut processing factories in Mangalore has been received ;

Now, therefore, in exercise of the powers conferred by section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Governor of Madras directs that the award be published in the *Fort St. George Gazette*.

J. M. LOBO PRABHU,
Secretary to Government.

To the Commissioner of Labour, Madras (20 copies).
.. Industrial Tribunal, Block No. XVI, Fort St. George, Madras.
.. Industrial Tribunal, Coimbatore.
.. Industrial Tribunal, Shencoyanagar, Madurai.
.. Industrial Tribunal, Vijayavada.
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 „ Principal Secretary, Government of Jammu and Kashmir, Srinagar (3 copies).
 „ Registrar, Labour Appellate Tribunal, No. 20/1, Gurusadai Road, Calcutta.
- To Sri R. Venkatraman. M.A., B.L., No. 1/174, High Road, Royapet, Madras.
 „ the Regional Labour Commissioner (Central), First Floor, Flat No. 12, Khaleeli Mansions, Mount Road, Madras.
 „ the Director-General, International Labour Organization, Geneva.
 „ the Regional Director of Re-settlement and Employment, Cathedral P.O., Madras.
 „ the Chief Commissioner, Kutch, Bhuj.
 „ the Chief Commissioner, Bhopal, Bhopal.
 „ the Chief Commissioner, Bilaspur (Simla Hills).
 „ the Chief Commissioner, Vindhya Pradesh, Rewa.
 „ the Chief Commissioner, Manipur, Imphal.
 „ the Chief Commissioner, Tripura, Agartala.
 „ the Chief Commissioner, Himachal Pradesh, Simla.
 „ the Collector, South Kanara. } 3 copies.
- „ the Management of Messrs. Peirce, Leslie and Company, Limited, Mangalore.
 „ the Management of Messrs. Mizar Govindappa Annappa Pai and Sons, Mangalore.
 „ the Management of Messrs. Swastic Cashew Industries, Limited, Mangalore.
 „ the Management of Messrs. Fernandez Brothers, Mangalore.
 „ the Management of Messrs. Mallaya Nayak Company, Mangalore.
 „ the Secretary, Cashewnet Workers' Union, Mangalore.
 „ the General Secretary, Indian National Trade Union Congress, No. 17, Queensway, New Delhi.
 „ the Deputy Registrar, Labour Appellate Tribunal, City Ice Buildings, No. 298, Bazaar Gate Street, Fort, Bombay, (3 copies).

Forwarded to the

(By order)

Superintendent.

From

Sri T. S. Viswanatha Iyer, B.A., M.L.,
Industrial Tribunal,
Coimbatore.

To

The Secretary to Government,
Development Department,
M a d r a s.

I.D.16/52 dated 23-9-1952

Sir,

Sub: Labour - Dispute between the workers and
the managements of Cashewnut Processing factories
in Mangalore - adjudication award submitted.

Ref: G.O.Ms. No. 2154 Development Department dated 19-5-52 .

....

I have the honour to submit herewith my award in duplicate
in the above dispute between the workers and the managements of
Cashewnut Processing factories in Mangalore, referred to this
Tribunal for adjudication.

MSH/-

Industrial Tribunal,
Coimbatore.

BEFORE THE INDUSTRIAL TRIBUNAL, COIMBATORE.

Present: Sri T. S. Viswanatha Iyer, B. A., M. L.

Industrial Dispute No.16 of 1952.

In the matter of dispute between the workers and the managements of the Cashewnut Processing factories in Mangalore.

(Vide G. O. No. 2154 Development Department dated 19-5-1952.)

Sri A. Shantheram Pai,
President, The Cashewnut
workers' Union, Mangalore.

Sri P. Balachandran Menon;
General Secretary,
Malabar Committee of the
All India Trade Union Congress,
Kozhikode.

Sri P. J. Narayana Koorthy,
Advocate, Mangalore.

For the workers

Mr. G. B. Pai, B.A., B.L.,
Advocate, C/O, Menon & Pai,
Ernakulam.

For the management of
Peirce, Leslie & Co., Ltd.,
Mangalore.

Mr. S. Vaikunta Baliga, B.A., B.L.,
Pleader, Mangalore.

For the managements of
1) Mizer Govinda Annappa Pai
& Sons,
2) Swasti Cashew Industries Ltd
3) Fernandes Brothers, and
4) Mallaya Nayak, Company,
Mangalore.

A W A R D

By G. O. No. 2154 Development Department dated 19-5-52,
the Government of Madras have referred for adjudication an Industrial
Dispute between the workers and the managements of five Cashewnut
Processing factories in Mangalore, namely (1) Messrs. Peirce, Leslie
& Co., Ltd., Mangalore, (2) Messrs. Mizer Govindappa Annappa Pai
& Sons, Mangalore, (3) Messrs. Swastic Cashew Industries Ltd., Mangalore,
(4) Messrs. Fernandes Brothers, Mangalore, and (5) Mallaya Nayak
Company, Mangalore.

2. The matters referred for adjudication are in respect of
"revision of wages and payment of dearness allowance and attendance
allowance." After notices were duly issued to the parties, the
Cashewnut Workers Union, Mangalore filed its statement of demands
on 16-6-52. The five managements filed their written statements
in July 1952 and finally the union filed rejoinders on 1-8-52.

3. To-day when the matter came up before me for enquiry
the parties settled their disputes and filed a memorandum of compromise

The terms of that memorandum are:-

1. The Shellers and Peelers will be paid at the rate of one anna two pies per pound. Peeling pieces will be paid at six pies per pound.
2. Daily paid workers will be paid at the following rates:-
 - a) Children 12 As per day.
 - b) Adolescents Re.1/- per day.
 - c) Adults:-

Women	Re.1/- per day.
Men	Re.1/5/- to Rs.2/- (In the case of adult workers a one anna increase will be given on their present wages subject to maximum of Rs.2/- But those workmen who have received an increment after the 1st January 1952 will not be entitled to the above increase.) Existing wages will not be reduced.
3. The regular attendance bonus, if any, at present paid will be discontinued.
4. With regard to the Shelling Section of Messrs. Mallaya Nayak Company, the question of Shelling rates will be left to the decision of a committee consisting of Mr. Vaikunta Baliga and one representative each of the management and the workmen.
5. The above rates will become operative from the 1st October 1952 and this agreement will remain in force for a period of one year from that date.
6. All other demands of the workmen relating to the 3 issues referred to the Hon'ble Tribunal by the Government for adjudication are given up."

4. I consider the terms of the memorandum of compromise to be fair, reasonable and proper and on that basis recorded the same.

the

5. There will be an award in ~~the~~ terms of compromise set out above.

Dated at Mangalore this the 22nd day of September, 1952.

M. S. Hanumanth

Industrial Tribunal,
Coimbatore.

MSH/

Draft I

GOVERNMENT OF MADRAS.
ABSTRACT.

LABOUR - Disputes - Dispute between the workers and the
managements of ~~Central~~ *Cashewnut-processing factories in Mangalore*
- Award of the Industrial Tribunal, *Coimbatore* -
- Published.

Development Department.

G.O.Ms.No. *4250*

Dated. *7 XII*

Read the following:-

pp 1-2 of (R) G.O.Ms.No. *2154*, Development, dated. *19-5-52*

ORDER:

pp 3-5 of Whereas the award of the Industrial Tribunal, ~~the~~ *Coimbatore*,
in respect of the industrial dispute between the workers and
the managements of ~~Central~~ *Cashewnut-processing factories in Mangalore*
has been received;

Now, therefore, in exercise of the powers conferred by
section 17 of the Industrial Disputes, Act, 1947 (Central
Act XIV of 1947), ~~His Excellency~~ the Governor of Madras directs
that the award be published in the Fort St.George, Gazette.

36.02

for the

for the

Secretary to Government.

To the ~~Superintendent, Government Press, for publication.~~

Commissioner of Labour, Madras (20 copies).
Industrial Tribunal, ~~the~~ Block No.XVI, Fort St.George, Madras.
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Industrial Tribunal, Shenyoyanagar, Mathurai.
Industrial Tribunal, Vijayavada at Guntur.
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Labour Commissioner, Uttar Pradesh, Post Box No.220,
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Industrial Tribunal, Punjab, Bhandrath Road, Jullundur
city.

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 Flat No.12, Khaleeli Mansions, Mount Road, Madras.
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 Chief Commissioner, Vindhya Pradesh, Reva
 Chief Commissioner, Manipur Imphal
 Chief Commissioner, Tripura, Agartala
 Chief Commissioner, Himachal Pradesh, Simla
 Collector of ~~Mangalore~~ ^{South Kanara}
~~the Management of~~
~~Secretary,~~
 General Secretary, Indian National Trade Union Congress,
 17 Queensway, New Delhi.
 Deputy Registrar, Labour Appellate Tribunal, City Ice
 Buildings, No.298 Bazaar Gate Street,
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the Management of M/s Mizar Govindappa Annappa Pai & Sons,
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the Management of M/s Swastika Cashew Industries Ltd., Mangalore
the Management of M/s Fernandez Brothers, Mangalore.
the Management of M/s Mallaya Nayak Co., Mangalore.
the Secretary, Cashewnut Workers Union, Mangalore.

P.T.O

In D.O. No. 11/7

Draft II

Dev. Dept.

Recd
to
from

Mem. no. 108362. PI/82-1 dated 7-10-82

Sub: — Labour — Disputes — Cashew nut processing
factories in Mangalore — Award of the
Ind. Tribunal, Coimbatore — Publication.

Draft I since

Ref: — G.O. Ms. no. 4250, Dev., dated 7-10-82

The S.G.P. is requested to publish
the G.O. cited together with the award in the F.S.
Gazette dated 15-10-82 and to send to this Dept.
immediately hereafter, 60 signature copies and 90
spare copies thereof. The G.O. should contain
address entries also.

To

Plse S.G.P.
(with encl.)

8/10/82

8/10/82

Dev.

33
4/10

No. 108362 P.P. Sub: Labour Disputes Cashewnut processing factories in Mangalore - Adjudication - Award

Ref: From the Ind. Tribunal, Coimbatore, letter dated 23.9.52

In G.O. No. 2154, Dev., dated 19-5-52, the dispute between the workers and the managements of 5 Cashewnut processing factories in Mangalore in respect of revision of wages and payment of dearness allowance and attendance allowance, was referred for adjudication to the Ind. Tribunal, Coimbatore.

A in p 3 of

2. On 22-9-52 when the dispute came up for enquiry before the Tribunal, the parties, having settled the dispute, filed a memorandum of compromise, the terms of which are at p. 4 of. The Tribunal has passed an award in terms of the said compromise.

3. With reference to Sec. 17 of the Ind. Disputes Act, 1947, the award may be published in the Gazette. A draft order and a draft memo to the S.G.P. are submitted for approval.

3/16/52 S.

3-10-52

Uthirakal
5/10/52

7 (154)

2060 P. 106
4
X

